

General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, D.C. 20463

MUR 4926

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

SEP 21 3 08 PM '99

**Complainant:**

Jeffrey Scott Smith  
606 Stones Crossing Road  
Easton, PA 18045

**Respondent:**

Hillary Rodham Clinton

**COMPLAINT**

1. Upon information and belief, Hillary Rodham Clinton is a candidate for the U.S. Senate for the State of New York.
2. Upon information and belief, Hillary Rodham Clinton meets the legal qualifications to be classified as a candidate for the U.S. Senate for the State of New York in accordance with Chapter eleven (11) of the Code of Federal regulations.
3. Upon information and belief, garnered from various news reports, Hillary Rodham Clinton, along with her husband, has solicited and/or accepted 1.35 million dollars worth of collateral as security for her mortgage.
4. Upon information and belief, a chief fund raiser for Mr. Clinton, Terry McAuliffe, has posted said collateral and cosigned for or guaranteed the mortgage loan.
5. 11 CFR 100.7(a)(1) defines a gift, loan, advance or deposit of... anything of value as a contribution if made "for the purpose of influencing any election for Federal office".
6. 11 CFR 100.7(a)(1)(i) states:

For purposes of 11 CFR 100.7(a)(1), the term loan includes a guarantee, endorsement, and any other form of security.
7. 11 CFR 100.7(a)(1)(i)(A) establishes that it is unlawful for a loan to exceed the contribution limits of 2 U.S.C. 441a and 11 CFR part 110.
8. 2 U.S.C 441a and 11 CFR part 110 establish a contribution limit of \$1,000.00.
9. The collateral which was posted by Terry McAuliffe and his guarantee of the loan exceed the contribution levels.
10. The collateral, loan and/or guarantee do not qualify for exclusion under 11 CFR 100.7(b)(1)(i) (A) - (E) because it specifically violates subsections (B) through (E).
11. Furthermore, the collateral, loan and/or guarantee does not qualify for any exclusion under 11 CFR 100.7 or otherwise.
12. The collateral, loan and/or guarantee is clearly made "for the purpose of influencing"

2010-08-24 10:02

Mrs. Clinton's campaign for the U.S. Senate in that it specifically enables Mrs. Clinton to qualify for the ballot under New York law and, just as importantly, it enables Mrs. Clinton to free up additional assets, securities, currency etc., which would otherwise be unavailable if posted as a down payment or collateral, which she can now personally contribute to her own campaign.

13. The collateral, loan and/or guarantee are violations of chapter 11 of the Code of Federal regulations.

  
Jeffrey S. Smith

Signed and sworn before  
me this 17 day of  
SEPT, 1999.

